



Docket No. 310301-1050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward Hendry BAKER, et al.

Title: VIDEO DATA COMMUNICATION SYSTEM FOR MOBILE
OBJECTS ON A RACE TRACK

Appl. No.: 09/623439

Filing Date: 12/4/2000

Examiner: Lee, Y. Young

Art Unit: 2621

Confirmation No.: 3867

REPLY BRIEF UNDER 37 C.F.R. § 41.41

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Commissioner for Patents
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Sir:

The following is the Appellants' Reply Brief under the provisions of 37 C.F.R. 41.41.

On page 6 of the Examiner's Answer, in the 'Response to Argument' section, it asserts that "it was clearly stated in the previous office action that Yasuyuki et al. already discloses a position detector 7 in Figure 3." In response, Appellants have argued in their Appeal Brief that "Yasuyuki et al.'s base station 7 does not correspond in any way, shape or form to the claimed position detector." For example, the base station 7 in Yasuyuki et al. makes a decision to switch between receivers on the basis of the signal strength of received signals provided by those receivers, and this does not correspond to position detection. The Examiner's Answer does not directly respond to the technical points made in the Appeal Brief in this regard.

On page 6 of the Examiner's Answer, it further asserts that "examiner does not reply on AAPA to teach such capabilities because such carrier electric field signal other than the video image signals is already disclosed in Yasuyuki et al." However, Appellants' understanding of Yasuyuki et al.'s system is that it receives video signals by a first receiver #1 and a second receiver #2, and, based on the signal strength of those two received video signals, it determines which one to switch to. As such, Yasuyuki et al.'s determination of signal quality of signals received from receiver #1 and receiver #2 are signal qualities of video signals output from a mobile unit. As such, Yasuyuki et al. uses carrier electric field signal strength from video image signals, in contrast to the assertion made on page 6 of the Examiner's Answer.

In more detail, signal strength and other signal parameters obtained at a receiver do not correlate well with a position of a transmitter. As discussed on page 8, line 14 to page 9, line 4 of Appellants' specification, multipath interference can lead to rapid changes in received signal parameters, such as carrier strength, with only small changes in position of the transmitter. This can lead to inappropriate and undesirable switching from one receiver to another receiver in certain circumstances. Also, changes in the conditions between the transmitter and receivers can lead to a change in received signal parameters even without a change in the transmitter position. For example, a large truck moving in path between a transmitter and a receiver, a localized rain shower, or an interfering transmitter located near one of the receivers could all cause the system of Yasuyuki et al. to switch between receivers without any change in transmitter position, which is undesirable. Thus, the control in Yasuyuki et al. is much different than the control based on transmitter position in the present invention as exemplified by the presently pending claims under appeal.

With respect to the assertions made on pages 7 and 8 of the Examiner's Answer (in the 'Response to Argument' section) regarding the use of GPS, please refer to the arguments provided at the end of page 9 and going to the top of page 10 of the Appeal Brief, which explain that Yasuyuki et al. does not hint at using a position signal, and thus one skilled in the art would have no reason, beyond hindsight reconstruction of the present claims, to add a GPS unit to Yasuyuki et al.'s base station 7, since all that would do would add needless cost and complexity to Yasuyuki et al.'s base station 7 with no appreciable benefit.

On pages 8 and 9 of the Examiner's Answer (in the 'Response to Argument' section) concerning claim 7 and "timing system", the Examiner's Answer asserts that one can extract timing information from the use of different frequency signals in the system of Yasuyuki et al. This assertion is incorrect, because while one may obtain Doppler shift information to somehow determine a speed of a vehicle, one cannot use the frequencies u_1 and u_2 of the video signals of Yasuyuki et al. to achieve a timing system for a race track.

Lastly, with respect to the arguments provided on page 9 of the Examiner's Answer (in the 'Response to Argument' section) regarding claims 10 and 11 and "network", the fact that Yasuyuki et al. shows first and second signal paths falls well short of the specific "selectively connectable" features as recited in claim 10 and the additional features recited in claim 11 regarding a further output connected to a signal line not connected to a receiver receiving the selected video signal.

In view of above, Appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejections of the pending claims and pass this application on to allowance.

Respectfully submitted,

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